

**REMARKS (SUPPLEMENTAL)**


In accordance with the instructions of the Notice mailed May 31, 2005, only the Amendments to the specification and Amendments to the claims sections of the Reply mailed January 24, 2005 are being submitted in the present Reply. No other changes/amendments to the April 8, 2005 Reply are made in the present Reply.

If the Examiner has any questions or needs any additional information, the Examiner is invited to telephone the undersigned attorney at (650) 843-3215. In addition, if for any reason an insufficient fee has been paid, the Examiner is hereby authorized to charge the insufficiency to Deposit Account No. 05-0150.

Date: June 2, 2005

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Respectfully submitted,

By:   
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**Attachment:** Copy of the Notice of Non-Complaint Amendment Mailed May 31, 2005

PaloAlto/84906.1



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,045	12/20/2001	Toshiyuki Odaka	HAL 177	3000
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HITACHI AMERICA, LTD. 50 PROSPECT AVENUE LEGAL DEPT. TARRYTOWN, NY 10591				
EXAMINER NAHAR, QAMRUN				
ART UNIT PAPER NUMBER				
2191				

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DATES ENTERED:

Response due: 6/30/05

JUN - 2 2005

CALENDAR

BY MO  
ATTORNEY  
SQUIRE, SANDERS & DEMPSEY



**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

10/028,045

Examiner

Qamrun Nahar

Applicant(s)

ODAKA ET AL.

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 24 January 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
  - ☒ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☒ C. Other See Continuation Sheet.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Claims 18 and 19 status identifier should be "Currently Amended".

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or  
**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

**WEI Y. ZHEN**  
**PRIMARY EXAMINER**

Continuation of 1(c) Other: the replacement paragraph for the paragraph beginning at line 14 of page 9 and ending at line 4 of page 10 must show markings. Furthermore, the instruction for the replacement paragraph beginning at line 15 of page 4 and ending at line 2 of page 5 is incorrect. The instruction SHOULD be for the replacement paragraph beginning at line 15 of page 5 and ending at line 2 of page 6.

Best Available Copy